

REGISTER

South Dakota Legislative Research Council



Volume 28

Monday, 8:00 a.m., August 13, 2001

A COPY OF EACH REGISTER IS FILED IN THE OFFICE OF THE SECRETARY OF STATE

NOTICES OF PROPOSED RULES: (The date in parentheses is the date the rules were filed in the Legislative Research Council)

Department of Agriculture: Animal Industry Board: (August 7, 2001) is proposing a rule to provide guidelines for individuals importing nondomestic animals to be released in South Dakota. The general authority for this rule, as cited by the board, is SDCL 40-3-14 and 40-14-2.

A public hearing will be held at the Animal Industry Board Office, 411 South Fort Street, Pierre, South Dakota, on Monday, August 27, 2001, at 2:00 p.m. Copies of the proposed rule may be obtained from and written comments sent to Sam Holland, DMV, South Dakota Animal Industry Board, 411 South Fort Street, Pierre, South Dakota 57501. Written comments must be received by August 24, 2001, to be considered. This hearing is being held in a physically accessible place. Persons who have special needs for which the board can make arrangements are asked to call (605) 773-3321 at least forty-eight hours before the hearing.

Office of Secretary of State: (August 8, 2001) intends to adopt rules to change the standard notary public application form to request additional information for becoming a notary, prescribe an application for changing a notary's information of record, establish uniform procedures for collecting voter registration information from county auditors, establish criteria for determining duplicate and potential duplicate voter registrations, and establish the information required to request and establish a price for a voter registration file or list. The general authority for these rules, as cited by the

office, is SDCL 18-1-1 and 12-4-39.

A public hearing will be held in the Governor's Large Conference Room, Capitol Building, 500 East Capitol, Pierre, South Dakota, on Thursday, September 6, 2001, at 1:00 p.m. Copies of the proposed rules may be obtained from and written comments sent to the Secretary of State, 500 East Capitol, Pierre, South Dakota 57501. Written comments must be received by September 17, 2001, to be considered. This hearing is being held in a physically accessible place. Persons who have special needs for which the office can make arrangements are asked to call (605) 773-3537 before the hearing.

Department of Game, Fish and Parks: (August 10, 2001) intends to adopt EMERGENCY rules to establish Fox Lake as a Special Management Water to protect larger walleye, modify the duck season to prohibit the harvest of canvasback ducks statewide except from October 13, 2001, through November 6, 2001, and during the youth waterfowl hunting season, and change the 250 "any whitetail deer" licenses to be issued in Potter County to 250 "any deer" licenses. The general authority for these rules, as cited by the department, is SDCL 41-2-18, 41-6-21, 41-8-1, and 41-11-5.

Copies of the proposed rules may be obtained from the Department of Game, Fish and Parks, 523 East Capitol, Pierre, South Dakota 57501.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Administrative Rules:

SECRETARY OF STATE: 05:04:04:01 to

05:04:04:31, inclusive; 05:04:05:01,
05:04:05:02, and 05:04:05:03.

History-Notice: 27 SDR 113, April 30, 2001
Hearing: May 23, 2001
Filed: June 28, 2001
Effective: July 18, 2001

DEPARTMENT OF GAME, FISH AND

PARKS: 41:06:00.01:02, 41:06:02:06,
41:06:14:01, 41:06:14:02, 41:06:14:02.01,
41:06:14:05, 41:06:20:02, 41:06:20:02.01,
41:06:20:03, 41:06:20:04, 41:07:03:06, and
41:10:03:01.

History-Notice: 27 SDR 125, May 21, 2001
Hearing: June 7, 2001
Filed: August 8, 2001
Effective: August 28, 2001

DEPARTMENT OF GAME, FISH AND

PARKS: 41:02:01:05, 41:03:03:03.01;
41:06:16:11; 41:06:21:01, 41:06:21:02,
41:06:21:02.01, 41:06:21:03, 41:06:21:04,
41:06:23:02, 41:06:23:03, 41:06:23:04,
41:06:23:05, 41:06:49:01, 41:06:50:02,
41:06:50:04, 41:08:06:01, 41:08:06:02,
41:08:06:04, and 41:09:01:02.

History-Notice: 27 SDR 145, June 25, 2001
Hearing: July 9, 2001
Filed: August 8, 2001
Effective: August 28, 2001

**DEPARTMENT OF COMMERCE AND
REGULATION: COMMISSION ON**

GAMING: 20:04:32:08.01, 20:18:15:30.03,
20:18:16:02, 20:18:16:15.05, 20:18:16:15.06,
20:18:17:02, 20:18:17:16, 20:18:17:17,
20:18:17:18, 20:18:17:20, 20:18:17:38,
20:18:20:05, 20:18:20:10; 20:18:29:02, and
Appendix A Section 445.6.

History-Notice: 27 SDR 129, May 29, 2001
Hearing: June 22, 2001
Filed: August 8, 2001
Effective: August 28, 2001

**DEPARTMENT OF COMMERCE AND
REGULATION: COSMETOLOGY**

COMMISSION: 20:42:02:08, 20:42:03:03,
20:42:03:06, 20:42:03:06.01, 20:42:03:06.02,
20:42:04:04, 20:42:04:05, 20:42:04:05.01,
20:42:04:12, 20:42:06:05, 20:42:06:09,
20:42:06:09.01, 20:42:07:07, 20:42:07:07.01,
and 20:42:07:10.

History-Notice: 27 SDR 146, June 25, 2001
Hearing: July 16, 2001
Filed: August 8, 2001
Effective: August 28, 2001

**DEPARTMENT OF ENVIRONMENT AND
NATURAL RESOURCES:**

74:28:21:01, 74:28:21:02, 74:28:22:01; 74:28:23:01,
74:28:24:01, 74:28:25:01, 74:28:25:03,
74:28:25:04, 74:28:25:05, 74:28:26:01,
74:28:27:01, 74:28:28:01, 74:28:28:03,
74:28:28:04, 74:28:28:05, 74:28:30:01, and
74:28:33:01.

History-Notice: 27 SDR 129, May 29, 2001
Hearing: July 19, 2001
Filed: August 9, 2001
Effective: August 29, 2001

DEPARTMENT OF TRANSPORTATION:

70:01:02:03, 70:01:02:17, 70:01:02:32,
70:01:02:44, and 70:01:02:62.

History-Notice: 28 SDR 3, July 9, 2001
Hearing: July 26, 2001
Filed: August 9, 2001
Effective: August 29, 2001

**DEPARTMENT OF COMMERCE AND
REGULATION: BOARD OF PHARMACY:**

20:51:14:01.

History-Notice: 27 SDR 146, June 25, 2001
Hearing: July 11, 2001
Filed: August 13, 2001
Effective: September 2, 2001

CORRECTION: On page 16 of the *South
Dakota Register*, the effective date of the rules

filed by the Department of Commerce and Regulation: Division of Insurance, is July 1, 2001.

Executive Appointments:

George W. Cook, Clear Lake, was appointed on July 30, 2001, to the **State Plumbing Commission**, to replace Sid Knutson, effective immediately and to continue to April 14, 2005.

George W. Cook, Clear Lake, was reappointed on August 1, 2001, to the **South Dakota Economic Development Finance Authority Board of Directors**, effective immediately and to continue to June 30, 2005.

Gerrit L. Juffer, Wagner, was reappointed on August 1, 2001, to the **South Dakota Economic Development Finance Authority Board of Directors**, effective immediately and to continue to June 30, 2003.

Terry G. Nelson, Black Hawk, was appointed on August 1, 2001, to the **South Dakota Economic Development Finance Authority Board of Directors**, to replace Richard Rylance, effective immediately and to continue to June 30, 2004.

George Lund, Sioux Falls, was appointed on August 1, 2001, to the **South Dakota Economic Development Finance Authority Board of Directors**, to replace Brenda Barger, effective immediately and to continue to June 30, 2004.

Note: A copy of the rules may be obtained directly from the above agencies. Write to the agency at the address given under "Notices of Proposed Rules." There is no charge for proposed rules. The following agencies have permission from the Interim Rules Review Committee to charge for adopted rules: the Division of Insurance, the Cosmetology Commission, the State Board of Examiners in Optometry, the State Plumbing Commission, the Board of Nursing, the Department of Social Services, the State Electrical Commission, the South Dakota Board of Pharmacy, the Real Estate Commission, the Gaming Commission, the Department of Commerce and Regulation for commercial driver licensing, the Department of Labor for Article 47:03, and the Department of Revenue.

REMINDER OF HEARINGS SCHEDULED

8-15-2001	Commerce and Regulation: Veterinary Medical Examining Board	Provide for veterinary livestock assistants; 28 SDR 12.
8-16-2001	Commerce and Regulation: Division of Securities	Allow banks to conduct brokerage activity, repeal certain securities registration provisions and provisions concerning public offerings of securities, require electronic filing of state and federal investment advisers and representatives, revise exemptions from registration for certain securities; 28 SDR 7.
8-22-2001	Health	Streamline process of recruiting international medical graduates to SD; 28 SDR 12.
8-22-2001	Investment Council	Implement Higher Education Savings Plan; 28 SDR 15.
8-27-2001	Agriculture	Increase farmers' and ranchers' access to capital for investment in cooperatives; 28 SDR 11.

8-27-2001	Public Utilities Commission: One Call Notification Board	March board meeting, define duties of chair and secretary/treasurer, permit board to hire or contract duties, functions, and powers, allow excavators to assign emergency tickets; 28 SDR 15.
8-27-2001	Agriculture: Animal Industry Board	Importing nondomestic animals to be released in SD; 28 SDR 23.
8-30-2001	Agriculture: Value Added Finance Authority	Authorize additional source of financing for ag development; 28 SDR 19.
9-6-2001	Secretary of State	Change notary public application form, procedures for collecting voter registration information from county auditors, remove duplicate voter registrations, requests and prices for obtaining files for lists from statewide voter registration file; 28 SDR 23.

Rules Review Committee Meetings

The next meeting of the Interim Rules Review Committee will be held on Monday, September 10 at 12:30 p.m. in Room 413 of the State Capitol. The meeting scheduled for October 8 will not be held; the final meeting of the 2001 interim will be November 28.

Agencies whose rules have had a public hearing will be scheduled to meet with the Rules Review Committee and are asked to have a representative present at the meeting to give background information on their rules. Each agency is requested to provide the LRC with eight copies of the most recent draft of its rules two days before the meeting.

Note: An updated version of the Administrative Rules Guide to Form and Style is now available at the LRC office.